

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

MARK CASH,

Plaintiff,

v.

C.R. BARD, INCORPORATED, *et al.*,

Defendants.

CAUSE NO. 3:21-CV-322 DRL-MGG

ORDER

Mark Cash was ordered by the magistrate judge to file a status report on or before September 10, 2021 indicating whether he intended to continue prosecuting this action after the court granted his former counsel's motion to withdraw [ECF 20]. Mr. Cash was advised that failure to respond to the court's order could result in the case's dismissal under Rule 41(b) [*id.*]. Mr. Cash did not file a status report by the deadline, and the defendants filed a notice of non-compliance requesting the case be dismissed [ECF 21]. The court afforded Mr. Cash one last opportunity to comply with its order by October 21, 2021, again warning him that failure to comply would result in dismissal [ECF 22]. Mr. Cash did not comply with the magistrate judge's order, so the magistrate judge recommended the case be dismissed without prejudice for lack of prosecution [ECF 23].

Under Rule 72(b), Mr. Cash had 14 days to object to the magistrate judge's recommendation, which he did not do. Accordingly, the court ADOPTS the magistrate judge's recommendation [ECF 23] and DISMISSES this case WITHOUT PREJUDICE under Rule 41(b). This order terminates the case.

SO ORDERED.

November 11, 2021

s/ *Damon R. Leichy*
Judge, United States District Court